

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

FILED
MAR 08 2018
CLERK, U.S. BANKRUPTCY COURT
WEST DIST. OF PENNSYLVANIA

In re: : Case No.: 17-20492-GLT
: Chapter: 11
Joseph Cuervo :
Mary E. Cuervo :
Debtor(s). : Date: 3/8/2018
Time: 11:00

PROCEEDING MEMO

MATTER: #129 - Continued Confirmation of Amended Plan of Reorganization filed 12-12-17
#145 - Objection by USA, IRS
#146 - Objection by Com. of PA, DOR
#147 - Brief in Support of Objection by Com. of PA, DOR
#148 - Summary of Ballots
#152 - Order Approving Stipulation between Debtors and Com. of PA, DOR
158 - Statement of Past and Prospective Income
159 - Stipulation and Agreed Order filed by the IRS

APPEARANCES:

Debtor: Gary William Short
IRS: Jill Locnikar
DOR: Larry Palmer

NOTES:

Short: Has resolved the issues with the I.R.S., which now supports the plan as a class 5 creditor. Has also filed a statement of past and prospective income for Mr. Cuervo. Based on the current construction contracts, the Cuervos can fund their plan payments.

Court: The Court cannot rely on the information about the construction contracts because they have not been introduced into evidence and Mr. Cuervo is not here to testify. However, because there is no objection from other parties, the Court will view it to be sufficient in this instance.

Locnikar: Will file an amended claim once the restitution issue has been resolved.

Court: You are supporting the plan as a class 5 member?

Locnikar: Yes.

OUTCOME:

1. The stipulation with the I.R.S. [Dkt. No. 159] is approved and the proposed order [Dkt. No. 160] is entered. O/E.
2. The plan [Dkt. No. 129] is confirmed as modified. (HT to prepare).

DATED: 3/8/2018